

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Rickie Harrison,)
)
Plaintiff,) C.A. No.: 3:04-01218-CMC-JRM
)
vs.)
)
The South Carolina Department of)
Corrections,)
)
Defendant)

)

OPINION AND ORDER

In this action, filed on April 16, 2004, Plaintiff alleges race discrimination and retaliation against his former employer, Defendant South Carolina Department of Corrections, in connection with his demotion from his position as Warden of Kershaw Correctional Institution. Defendant filed a motion for summary judgment on December 10, 2004, and Plaintiff filed a response March 4, 2005. Defendant then filed a Reply on March 14, 2005, and Plaintiff filed a supplemental opposition memorandum on April 18, 2005. Defendant filed a reply to that memorandum. Defendant filed a motion for sanctions on March 28, 2005, and an amended motion for sanctions on April 1, 2005. Plaintiff filed his response on April 18, 2005, and Defendant filed a reply on April 25, 2005.

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Joseph R. McCrorey, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 of the District of South Carolina.

The Magistrate Judge has recommended that Defendant's motion for summary judgment be granted and that its motion for sanctions be denied.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

The parties filed no objections to the Report and Recommendation.¹ In the absence of objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the motions, the responses and replies, the Report and Recommendation and the record in this case, the court adopts the Report and Recommendation of the Magistrate Judge and incorporates it herein. It is therefore

ORDERED that Defendant's motion for summary judgment is granted and the motion for sanctions is denied. This case is dismissed with prejudice.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
August 16, 2005

C:\temp\notesB0AA3C\04-1218 Harrison v. SCDC - granted sj - no objs to R&R.wpd

¹Plaintiff and Defendant filed a mutual waiver of objections to the Report and Recommendation on July 28, 2005.